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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : OLIVER RÖTTCHER

Docket No.: 01-376

Serial No.: 09/883,729

Examiner : M. Cruz

Filed : June 18, 2001

Art Unit : 2851

For : MIRROR HAVING A PORTION IN THE
FORM OF AN INFORMATION PROVIDER

900 Chapel Street
Suite 1201
New Haven, CT 06510-2802

REQUEST FOR RECONSIDERATION UNDER 37 CFR 1.116

Hon. Commissioner of Patents and Trademarks
United States Patent and Trademark Office
Washington, D.C. 20231

Dear Sir:

In response to U.S. Patent and Trademark Office Action dated March 24, 2003, having a shortened statutory period for response set to expire June 24, 2003, Applicant hereby requests the Examiner to reconsider his rejection of the claims based on German Document DE 29916732 in light of the following comments.

Initially it should be noted that Page 1 of the instant specification discusses the cited '732 German document as the state of the art to which the instant application is an improvement. The Examiner's attention is respectfully drawn to the background of the invention set forth in Pages 1 and 2 of the instant application.

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With regard to the Examiner's rejection of independent claims 1 and 19 as set forth in Paragraph No. 4 of his Office Action, the following should be noted. Contrary to the Examiner's assertion, the reference numeral 5 in the '732 German document does not indicate a non-reflective portion, but only an additional antireflection layer 5, backing the semi-transparent mirror layer 4. This can be clearly seen in Figure 2 and in the description, Page 6, lines 4-8, Page 6, last line to Page 7, line 3 (where the light path is described). The mirror layer 4 extends over the whole surface of the mirror 1. The mirror layer is explicitly described to be reflective in the sense that it is semi-transparent (Page 4, line 11, Page 6, line 23). The reference by the Examiner to show that the part of the mirror is transparent, i.e. Page 4, line 16, only describes that a strong light source can be seen through the semi-transparent, reflecting mirror surface. Therefore the word "transparent" in the utility model's publication is used in hyphens, showing no real transparency is intended as claimed in the instant invention.

Furthermore, an additional difference is that the information displayed by the mirror described in the Michalke document can only be changed manually by changing a slide (Page 7, 2nd paragraph, claim 5). This, however, is a time-consuming and therefore costly task. On the other hand, the present

invention allows an automatized changing of the information displayed by the information provider according to the invention.

Finally, the reference number 10 in the Michalke document, which is interpreted as an input device by the Examiner in charge, is described to be an electronic system controlling the power of the light source (Page 8, last paragraph).

Again, as pointed out above, the '732 document constitutes the state of the art of which the instant invention is an improvement as indicated on Pages 1 and 2 of the instant specification. It is believed that the Examiner has stretched the fair meaning of the term transparency as used in the '732 document in order to reject the claims of the instant application. In addition, independent claim 19 which sets forth an input device connected to the display is not taught by element 10 of the '732 document as the reference numeral 10 refers to an electronic system controlling the power for a light source.

In light of the foregoing, it is submitted that the claims as pending are patentable over the prior art reference and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any

questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

If any additional fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

OLIVER RÖTTCHER

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Date: May 29, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on May 29, 2003.


Lori J. Larson